

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of the Amateur Service)	
Rules Governing Qualifying)	WT Docket No. 12-283
Examination Systems and Other)	
Matters)	
)	
Amendment of Part 97 of the)	
Commission's Amateur Service Rules)	RM-11629
to Give Permanent Credit for)	
Examination Elements Passed)	
)	
Amendment of Part 97 of the)	
Commission's Rules to Facilitate Use)	
in the Amateur Radio Service of)	RM-11625
Single Slot Time Division Multiple)	
Access Telephony and Data Emissions)	
)	
Request for Temporary Waiver)	
)	
Amendment of the Amateur Service)	
Rules Governing Vanity and Club)	WT Docket No. 09-209
Station Call Signs)	
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By W. Lee McVey)	
W6EM)	
PG-12-19879)	
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To: The Chief, Wireless)	
Telecommunications Bureau)	
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_____)	

COMMENTS

Introduction

I would like to thank the Commission for its bringing several matters of importance to amateur radio to rulemaking. Licensing and examination issues are the front door to amateur radio and should be perceived as fair, objective, efficient and consistent. Promulgating processes and procedures that will encourage licensure or relicensure for former licensees will help ensure that amateur radio will be around when needed to fulfill the purposes of the service in the future. Consideration of extended and perpetual credit for passage of examination elements affords the opportunity for the Commission to go further in this regard and resolve a longstanding inconsistency within its rules with respect to amateur and commercial licensees.

Since the mid-nineteen eighties, the Commission has issued lifetime license grants to all commercial Radiotelephone and Global Maritime Distress Safety System (GMDSS) licensees. Only commercial Radiotelegraph licenses still require renewal every five years.¹ There are no obvious, compelling reasons

¹ See 47C.F.R. §13.15(b).

why most commercial licensees have been issued lifetime licenses, yet amateur licensees are denied the same privilege.

Background

1. I am one of perhaps many who began my interest in radio communications almost fifty one years ago as an amateur operator, later obtaining commercial radiotelephone licenses. I received my Second Class Radiotelephone license in 1964 and my First Class Radiotelephone grant in 1965 (P1-11-22724). My First Class license was involuntarily converted to a lifetime General Radiotelephone Operator License (GROL) more than twenty seven years ago on January 2, 1985 (PG-12-19879).

2. It was my understanding at the time that the conversion of existing First and Second Class Radiotelephone licenses to lifetime GROL grants was done to reduce the Commission administrative burden of license renewals; and also because of the removal of radiotelephone operator license requirements in the Part 73 Broadcast and Part 90 Private Land Mobile Services. With lifetime commercial license grants there was and is no assurance of continuing ability and competency of licensees to properly install, adjust, maintain or repair radio transmitting equipment.. Today, a GROL or GMDSS maintainer license is required to maintain, adjust or repair a good deal of Part 80 Maritime and Part 87 Aircraft Radio Service transmitting equipment. In both of these radio

services, unlike the Part 97 Amateur Radio Service, proper radio equipment maintenance, adjustment and operation can routinely have public safety and health consequences.

Discussion and Rationale Supporting Lifetime License Grants

3. There is little justification to continue to limit the amateur radio license term to ten years, since no Commission fee revenue is generated from issuance or renewal of sequentially-issued licenses. Only the vanity license program generates Commission revenue to help support additional Commission expense to administer the special program. But, once issued, there is no additional burden on the Commission to maintain and renew vanity licenses when compared to sequentially issued licenses. A one-time fee could just as easily be assessed for vanity licenses at time of original issue, if all license grants were to be made for a lifetime.

4. One could envision an objection to either lifetime credit or licensure for having passed elements with “old” theory content as opposed to question pools with newer, state-of-the-art circuit devices. But again, this fails the equity test when compared with lifetime commercial licenses, since equipment has evolved across *all* services, both commercial and amateur. The argument for testing “relevant, state-of-the-art” skills and knowledge as

opposed to that of 50 years ago or more cuts both ways. Consider, for example, the no tune/auto tune transmitters of today as opposed to the skill of manual adjustment and tuning of amplifier stages necessary with older equipment. And, modern equipment is not easily repaired, with fly-speck-sized surface-mount active and passive component content. Components so small that that not many are able to even see, let alone replace them or repair or modify equipment using them. Unlike the old days when discrete components could be easily identified and repaired or replaced as needed. Today's new amateur will have fewer opportunities to construct, diagnose and repair his or her own equipment. "Appliance operators" in old-timer vernacular. However, the principles of radio frequency transmission lines, electromagnetic radiation, and radio propagation are invariant. They are just the same today as they have been across many generations; as is their footing in James Clerk Maxwell's equations, employing Newton's 17th century calculus.

Certificate of Successful Completion of Examination (CSCE) Errata and Prior License Credits

5. Retention of CSCE record data and that of prior, expired licenses for element credit for an extended period will likely be a problem for applicants, Volunteer Exam Coordinators (VECs) and the Commission itself. As it stands now, data retention of expired licenses is limited, at least as far as the

Commission's publicly accessible Universal Licensing System (ULS) database is concerned.² So, a formerly licensed amateur beyond some fifteen to twenty years ago could not look to Commission records for substantiation of early grants and to request credits for examination elements.

6. There are many concerns, not the least of which would be proof of applicant identity and authenticity of copies of expired licenses. Even the validity of old Radio Amateur Callbook magazine data, used many years ago to prove that persons once were licensed, could be called into question. The Commission asked for suggestions on how to validate identities of individuals so as to help prevent fraud.³ The Commission's Registration Number (FRN) system that has been in existence for about 20 years requires initial entry of one's Taxpayer Identification Number (TIN) to obtain an FRN. Certainly, to the extent an applicant has established an FRN, he or she could be asked to provide proof of TIN on application for renewal or reissuance of an expired license where an FRN still exists. However, for those former holders who preceded the FRN system, perhaps some form of proof of residency at the last address of record on the expired license grant record such as financial records, tax returns, or property tax or deed records could be used. A formidable

² As an exercise, I selected three expired callsigns of friends that were originally issued in the 1960's. WA6MWA, WA6MYG, and WB6DOF. I know that two of the three are no longer licensed, yet no records of their original grants are included in the archived ULS database and they did not obtain different callsigns over the intervening years. I checked my own callsign. Its record accurately depicts its history for about 15 years, but not earlier.

³ See FCC-12-121 at 7.

addition to the complexity and perhaps the cost of the license application process.

7. To effect lifetime CSCE and element credit in a fair, equitable, and secure manner, the Commission should expand its Universal Licensing System FRN database retention to at least the past fifty to sixty years. This, to ensure that any person still among the living who once held an amateur license could request credit for elements and issuance of another license if so desired. Since it is conceivable that VECs might not remain in existence or be able to retain their records for a reasonable human life expectancy, some means of recording CSCE data by the Commission would also be needed. Augmenting database content and its retention will likely add considerably to Commission administrative burden, whereas a lifetime license grant would eliminate completely the burden of renewals from this point forward, as it has for numerous commercial operator licenses.

Renewal and Reissuance of Expired License Callsigns

8. If the Commission dismisses the idea of lifetime license grants, one hundred eighty days, as proposed, is insufficient time, generally, as a grace period after expiration to renew a license. For example, persons might be ill, or stationed overseas in the military and would likely need more time to renew

their licenses to avoid loss of their callsigns. A minimum of one year should be permitted for renewal to accommodate such situations.

9. In the case of deceased licensees, estate settlement should precede release of their callsign for reissuance, if at all possible. Or, at least the earlier of estate settlement; or two years after death, as it is now. While it is recognized that amateur licenses are not property, as are broadcast station licenses, the value of a callsign to a near relative might be *priceless* in as much as many consider a family-retained callsign an important memorial testament. Relatives should be afforded a reasonable opportunity to become licensed or upgrade and not be further distressed by trying to rush through settlement of deceased licensee family affairs. Based on my experience with several of my family's estates in California and Oregon, settlement times have typically exceeded one year.

Addition of 7K60FXD and 7K60FXE Modes to Accommodate Surplus Mobile Relay Equipment

10. It is important that amateurs not be constrained in reapplication of surplus mobile relay equipment from other radio services. As the Commission acknowledges, its reuse will likely enhance the ability of amateurs to interoperate with public safety users if amateur bands are in close proximity to

public safety allocations currently using these modes.⁴ Although, migration of public safety users to the new 700MHz Block D will not permit such flexibility as there is no amateur allocation immediately above or below the new 700MHz public safety band as exists next to private land mobile VHF and UHF public safety allocations. The modes should be permitted above 30MHz anywhere frequency modulation is currently permitted.

Comment Summary and Recommendations

11. The administrative burden on the Commission and VECs will be greatly increased if lifetime prior element and CSCE credit are adopted without limits. And, the prospect of fraudulent claims of prior credit will require new and creative methods of verifying identification that will tax the resources of all involved; perhaps, to the point where the added costs may be reflected in higher examination fees or the unwillingness of VECs to take on the extra work involved.

12. In the interest of cost effectiveness and equity, amateur licenses should be made lifetime grants as are most commercial licenses. Adoption of lifetime licenses would eventually reduce the current burden of the licensing process by eliminating renewals altogether.

⁴ *Ibid* at 27.

13. If lifetime license terms were to become a reality, perhaps a “sunset-window” grace period could be established after which prior expired license and older CSCE credits could no longer be used for lifetime license purposes to both accommodate earned credits and reduce continuing additional administrative burden. After which, no credit toward a lifetime license would be permitted in the interest of all involved in the licensing process. A period of two years would seem more than reasonable for a conversion period.

I have no other comments on amateur examination administration.

Respectfully Submitted,



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